

BOARD OF SELECTMEN

January 13, 2015

Minutes

The Board of Selectmen met on Tuesday, January 13, 2015 at 7:00 p.m. in the Town Hall Clark Room. Those present were Selectmen John Gorecki, Douglas A. G. Stevenson, Peter Scavongelli, Nathan Brown and Vanessa Hunnibell Moroney. Town Administrator Timothy D. Goddard was also present.

Also in attendance:

Stuart Johnstone, Great Brook Farm Ski Touring Center

Tim Hult, CCHS Building Committee Liaison

Fire Chief David Flannery

Katie Huffman, Gleason Library Director

Michael Bishop, Chair Finance Committee

David Guarino, Long Term Caps Committee

Luke Ascolillo, Community Preservation Committee

David Freedman, Chair Planning Board

Marty Galligan, Zoning Board of Appeals

Steve Hinton, Zoning Board of Appeals

Lyn Lemaire, West Street

Community Input

Mr. Stuart Johnstone from the Great Brook Farm Ski Touring Center spoke to the Board about a parking issue at Great Brook State Park. He said the park supervisor recently informed him that most of the parking [for people who want to participate in cross country skiing] will no longer be available during periods of thaw, in order to protect the grass. Mr. Johnstone explained that large crowds appear on weekends and this change will create a serious traffic problem on Lowell Street. He asked the Board to consider the possibility of the ski touring center utilizing the Carlisle School parking lot together with a shuttle service to bring visitors to the state park. Mr. Johnstone said this would only occur on weekends and holidays between December 1st and March 20th when necessary.

Mr. Gorecki said the Board will take this issue under advisement.

CCHS Building Project Update

Tim Hult, former Selectman and a member on the CCHS School Building Committee was present with the most up-to-date information on the project. He began with the financial status of the project. Tim said the project is on budget and on schedule. He said at the beginning this project started out at approximately \$93million. He said they have spent about \$74million [through the end of December 2014]. Tim explained how the remaining \$18million of unspent funds would be divided.

Tim said the target date for the certificate of occupancy is February 14, 2015. He said the move-in date will be during April vacation and the old school will be taken down during the summer vacation. Tim said there is about \$2million left in the contingency for unexpected events and the committee felt that this was a very healthy amount.

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Approved: 2/24/15

Tim spoke about taking down the old school building. He said the real concerns are the unknown hazardous materials that may be in the old building and the risks involved in removing same. He said they have a budget of \$1.6million to take care of this issue.

Phase II. Tim said there are a lot of things relating to the outside of the building, which they are referring to as *Phase II*. They are starting a process of identifying those items. Tim said they trying to keep the cost of those items to about \$500,000.00 so they can use any remaining contingency funds that may be available.

Tim said at the end of April the School Building Finance Committee will review those contingencies and they will make an estimate to the full committee. Tim said by the end of June a decision will be made whether to use the contingency on that type of work.

Site Plan Review – Telecommunications Tower (cont'd)

Mr. Gorecki opened the public hearing for the Site Plan Review for the Telecommunications Tower. He said we have been going through the RFP process for a study relative to the Telecommunications Tower.

On a motion made by Mr. Scavongelli and seconded by Mr. Stevenson it was unanimously **VOTED** to continue the Site Plan Review for the Telecommunications Tower to March 11, 2015 at 7:30 p.m.

In response to Mrs. Moroney, Mr. Gorecki said the RFP working group is getting together in the next week or two to prepare the RFP which will be sent out shortly after that. Hopefully, he said we will have an update for the Board on March 11th.

Town Administrator Report

1) Mr. Goddard said on Dec. 15th the Town received one proposal from Mark Duffy in response to the RFP for maintaining and operating the Cranberry Bog. He said the Conservation Commission and Town Counsel have reviewed the proposal and they are prepared to recommend that the Selectmen select Mr. Duffy and negotiate a long term lease for the Cranberry Bog facility. [Attached is a copy of a memo from the Conservation Commission with their recommendation.]

On a motion made by Mrs. Moroney and seconded by Mr. Scavongelli, it was unanimously **VOTED** to award the Agricultural Management Agreement for the Carlisle Cranberry Bog to Mr. Mark Duffy.

2) Mr. Goddard informed the Board that the 1997(DPW) Elgin Street Sweeper was sold on-line through an online auction for \$11,400.

3) Mr. Goddard also informed the Board that he has been in contact with Ben Pearlman, Comcast's Government representative for this region relative to setting up a meeting to discuss problems that residents have been experiencing with local access programming.

4) Mr. Goddard noted that the Council on Aging, Carlisle Public School, Recreation Department and Library deserve congratulations for their efforts in Carlisle for being named one of the 'Best Intergenerational Communities'. Mr. Gorecki said there is going to be an official award ceremony in Washington, D.C. on February 11th and he plans to attend same. [A copy of the Generations United press release is attached hereto]

5) Mr. Goddard said a copy of a Fire Protection Easement negotiated between the owners of 61 Judy Farm Road and the Town (acting through the Planning Board) is enclosed in the Board's packet tonight. He said the easement has been reviewed by Town Counsel and must be executed by the Board of Selectmen in order to be valid and recordable.

On a motion made by Mr. Stevenson and seconded by Mrs. Moroney, it was unanimously **VOTED** to accept a Fire Protection Easement for property located at 61 Judy Farm Road, as presented this evening and as recommended by the Planning Board.

Chief Flannery – Request for Availability Stipends

(Mr. Stevenson recused himself from this discussion and vote)

Fire Chief David Flannery was present for this discussion. He said funds were appropriated in the

FY15 Fire Department budget for the purpose of providing an incentive for personnel to increase their availability to respond to calls. David said the current requirement to receive a base stipend is 100 hours a month. He said to receive the base stipend a firefighter or EMT must maintain their availability at a minimum of 100 hours in each of the three months in the quarter.

David said in an effort to encourage and reward personnel who are able to increase their availability, which works toward maintaining the on-call staffing level, he is proposing an 'Additional Availability Stipend'. He explained that to qualify for this stipend, a firefighter or EMT who has 200 hours or greater each month (excluding the 12am to 6am time period) will receive \$100.00 for that month. David added that additionally, a firefighter or EMT who has 300 hours or greater each month (excluding the 12am to 6am time period) will receive \$200.00 for that month. David said this will be paid in addition to the current base stipend.

David said tonight he is asking for approval for the \$100.00 [per month] stipend for an additional 200 hours of availability and the \$200.00 [per month] stipend for an additional 300 hours of availability. He further proposed that these stipends be paid retroactively starting July 1, 2014 for those individuals who qualify. He said this money will be transferred from the Ambulance receipts account into the EMT stipend account.

(Mr. Brown arrived at 8:00pm)

On a motion made by Mr. Scavongelli and seconded by Mrs. Moroney it was **VOTED 4 yes (1 recuse)**, to approve the Fire Chief's recommendation for additional availability money as presented at tonight's meeting.

Library Trustees – One Day Licenses

Library Director Katie Huffman was present and representing the Library Trustees to discuss two (2) one day Licenses. She said the first one is for a Carlisle Reads Party that will be held on Saturday, January 24th from 7pm to 10pm. Katie said the second event is on Friday, February 13th from 7pm to 10pm.

Mr. Stevenson noted that on the Application for one event three drinks per person was allowed and at the other event two drinks per person was allowed. Katie explained that the February 13th event, where two drinks are permitted, is a reception, and the event has a smaller budget. However the January 24th event is a party where food and beverages will be served and there is a larger budget for this event.

There was a discussion over whether cocktails could be served at the January 24th event.

On a motion made by Mr. Scavongelli and seconded by Mr. Stevenson, it was unanimously **VOTED** to approve the two one day licenses as presented tonight for serving beer and wine and conditionally approve cocktails if Town Counsel concurs the Board has the authority to approve cocktails too.

Town Meeting Coordination Meeting #1

Finance Committee chair Michael Bishop was present to discuss the FY16 budget. He said in September 2014 the Finance Committee sent out a Guideline letter to all the Committees in Town. Michael said over the next few months the FinCom tried to meet with all of the Boards and Committees. He said the FinCom has tried to keep a zero increase in the budgets however if there were departments that were having problems with that, they met with them and worked out these issues. Michael said we do not need an override this year and he noted that the levy will be increased by .72.

In regard to Free Cash Michael said the FinCom has been planning to mitigate the big jump in the debt for the High School that we knew was going to increase in 2016. He said Free Cash grew a little faster than expected with the sale of the Blue Jay Studio and as a result we are planning on allocating \$740,000 toward the debt from the High School and \$100,000 to reduce taxation and \$100,000 to put into OPEB.

Michael said the FinCom had a few issues that required guidance from the Board. The first issue was

the COLA adjustment. Mr. Gorecki said the COLA matter will be placed on the January 27th Agenda. He said the Personnel Board has not been able to meet however they have done an analysis of comparable Towns and all the things that they normally do before they make a recommendation [but they cannot formally make that recommendation]. He said this year we will move forward with a discussion on setting that rate, based on information they will provide us.

Mr. Stevenson asked about the Wage and Classification Study Report. Mr. Goddard said a draft of that report will be presented at the Board's February 10th meeting. He added that any wage adjustments from this study will not be done at this Town Meeting.

Michael spoke about the need for a facilities manager. He said the purpose for this position would be to take an inventory of the Town Buildings, determine the needs for each building, and provide a timeframe for doing those repairs. He added that the Town of Concord is also looking for a similar type of individual for that kind of position. This person would work only one day a week or once a month. Mr. Stevenson suggested developing a standing Building Committee that could assess the Town Buildings.

Michael spoke about the Technology Committee. Mr. Brown said the Technology Committee has not met since before the holidays. He said they do not want to do a study, but rather address a few items this fiscal year. Those items were an Email system and telephone system.

Michael said the Conservation Commission would like to hire a consultant to do some initial work on the Greenough Dam repairs. The Study and permitting process would cost approximately \$3,900. Mr. Gorecki said last year the Greenough Dam had some initial 'breaks'. Mr. Gorecki said if we want to move forward we need to have someone tell us about the permitting process. He said Stamski & McNary has prepared a proposal to do this type of work for the cost of \$3900.

The final item was the Fire Truck tanker. Michael said last night the LTC recommended a separate warrant article because it is such a large item.

Michael confirmed with the Board that the next joint meeting will be February 10th.

Long Term Capital Req. David Guarino said \$1.25million was the total request made of the Long Term Capital Requirements Committee. He said the amount the committee recommended to the Finance Committee was slightly over \$400,000 for approval. [the original amount included the Fire truck].

David said historically, \$180,000 is approved every year. These are re-occurring requests. He said this year the following items were added: an additional cruiser, Police Station roof, Library HVAC repairs, repairs to the school's auditorium and a plow for DPW truck.

David said a building committee would be helpful so that we could plan purchases for the Town buildings over a period of time.

Community Preservation Committee Luke Ascolillo said the CPC committee is having their first meeting on Wednesday, Jan. 14th. Luke noted that there is \$104,000 in the Open Space & Recreation fund; \$157,000 in the Historic fund; \$150,000 in Community Housing; \$764,000 in the Undesignated and \$329,000 in the Reserve fund.

Luke said they have received five (5) applications so far. The first application was from the Library for preservation of Historical Artifacts for \$52,000. The second application is for the Towle Field restoration for \$60,000; the third application is from the Carlisle Affordable Housing Trust for \$50,000; another request came from CC at Play for the fields at the High School for \$400,000; and a \$7,000 from the Town Clerk to continue a project involving binding Minutes and preserving documents in the vault. Luke said the Town Clerk's and Library's request would both come from the Historic funds.

[The total amount of requests is approximately \$570,000.] Luke said their second meeting is on February 11th.

Discussion of possible Noise Bylaw

Mr. Gorecki said there was a request by resident Ginny Lemare during a recent community input

session, to look into a possible noise bylaw due to continuous and intense ram hoeing noise coming from a new development near her neighborhood. She asked the Board to look into to this because there at the time there was nothing to use to help alleviate the noise issues at the time. He said since then the problem has been resolved. Mr. Gorecki said he thought it was worth looking at the noise issue and the bylaws to determine whether there could be a bylaw that could have been used in this situation or another situation. His suggested forming a working group to determine whether a noise bylaw is required, what should be in the noise bylaw, and what affect it will have on the community? Mr. Gorecki added that when we put together this bylaw, we have to be clear who will be responsible for enforcing it.

Mr. Gorecki suggested that the working group include a member from the following: Planning Board, Board of Health, Board of Selectmen, Agricultural Committee, and a member from the community.

In reply to Mr. Stevenson, Mr. Gorecki said this not be ready for Town Meeting. The Board reviewed Noise Bylaws that were in their packet from neighboring communities.

On a motion made by Mr. Scavongelli and seconded by Mrs. Moroney, it was unanimously **VOTED** to establish a working group composed of one member from the Board of Selectmen, one member from the Planning Board, one member from the Board of Health, one member from the Agricultural Committee and a member from the general public at large for the purpose of addressing the need for a noise bylaw or an amendment to an existing noise bylaw.

Long Ridge Road 40B – Special Counsel

Mr. Gorecki said this discussion on the Long Ridge Road 40B project is specifically to address appointing special counsel to represent the Town in the 40B process. He said we will also address hiring a hydrogeologic expert to provide information to the Zoning Board of Appeals in connection with their review of that application.

Mr. Gorecki said about a month ago the Board voted to hire special counsel to represent the Town in connection with the 40B hearing process. He said currently Town Counsel is working with the Zoning Board of Appeals. He said this special counsel would be hired on behalf of the Town in advocating for different positions during that process and as described in her as defending the Town's bylaws. He said Mr. Goddard has conducted telephone interviews with a few attorneys who work in this type of law and did an initial legal interview with them. Mr. Goddard said he worked with Town Counsel who provided a list of attorneys. Mr. Gorecki said he was prepared to recommend Barbara Saint Andre' from Petri & Associates.

Marty Galligan, member of the Zoning Board of Appeals asked how meetings with Attorney Saint Andre' will be handled. Mr. Gorecki said he will meet with her, and she will also meet with the Town Hall Advisory Group. He said she will explain what our options are on different issues.

Lyn Lemaire of West Street questioned whether this was the best time to bring special counsel on board and perhaps later in the process would be a better time.

On a motion made by Mr. Stevenson and seconded by Mrs. Moroney, it was unanimously **VOTED** to appoint Barbara Saint Andre' as special counsel representing the Town of Carlisle in connection with the 40B Housing Application at 100 Long Ridge Road, Carlisle.

Mr. Gorecki said the second part of this discussion is relative to hiring a hydrogeologic expert to provide hydrogeologic data to the Zoning Board of Appeals in connection with the 40B Housing Application at 100 Long Ridge Road. He said it is his understanding that there has been a lot of discussion about water issues, but very little data has been collected on water issues. Mr. Gorecki said a request was made to the Board of Selectmen to hire a hydrogeologic expert to do a hydrogeologic study on the project and provide that information to the Zoning Board of Appeals.

Mr. Gorecki said he is recommending that the Board authorize the Zoning Board of Appeals to enter into a contract with a hydrogeologic expert, Nobis Engineering, to do a hydrogeologic study with the understanding that if the Zoning Board of Appeals does not need the study they are not going to

enter into the contract; but if they need the information, they have the funds and they have the authority to move forward with Nobis Engineering to get the study completed.

Zoning Board of Appeals member Steve Hinton was present spoke to the Board about the study. He recommended that the Board move forward with the Proposal from Nobis Engineering as it is set-up in phases, and Phase 1 would provide substantial information that we need. It will cost about \$10,000.00.

On a motion made by Mr. Brown and seconded by Mr. Stevenson, it was unanimously **VOTED** to retain Nobis Engineering for an independent hydro geologic study for the 40B Housing Application at 100 Long Ridge Road, Phase 1 as presented at tonight's meeting.

Cemetery Deeds

The Board of Selectmen, as Cemetery Commissioners, made the following deed transfer.

On a motion made by Mr. Stevenson and seconded by Mrs. Moroney, it was unanimously **VOTED** to transfer to Edgar Schick of Carlisle, Massachusetts Deed No. 675 for Cemetery Lot D 211; Graves 1 and 2 in the Town of Carlisle, Green Cemetery.

Appointments

On a motion made by Mr. Brown and seconded by Mr. Stevenson, it was unanimously **VOTED** to appoint Melynda Gambino, Sandy Nash, Nancy Jaysane, Sally Duscha and Deb Belanger to the Carlisle Pathways Committee II for a term that will end June 30, 2015.

Liaison Reports

Mr. Gorecki said today at the Financial Management Team meeting we discussed the budget items that were discussed earlier in this meeting.

Mrs. Moroney said the next Housing Trust meeting is scheduled on January 20th at 7:00 p.m.

Mr. Brown said the Technology Committee did not meet during the holidays however they will schedule a meeting soon. He said the Committee will be seeking some funding in order to do a few things this year. In regard to the CCTV, Mr. Brown said our contract with them has expired. He said he has met with two members on the CCTV Board. He said they talked about a target date of June 30th for coming up with a new contract, but in the meantime it was suggested that we create an interim contract.

Minutes

On a motion made by Mr. Stevenson and seconded by Mr. Brown, it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen's meeting of November 25, 2014 as amended.

On a motion made by Mr. Stevenson and seconded by Mrs. Moroney, it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen's meeting of December 9, 2014 as amended.

The meeting adjourned at 10:20 p.m.

Respectfully submitted by Margaret Arena